Ontario

Ministry of Consumer and Commercial Relations

Property Rights Division

Legal and Surveys Standards Branch

BULLETIN NO. 80023

DATE: July 14, 1980

TO: ALL LAND REGISTRARS

REGISTRATION OF CERTIFICATES AND PROVISIONAL CERTIFICATES

THE ENVIRONMENTAL PROTECTION ACT, 1971

For some time certificates of approval and provisional certificates of approval respecting waste management systems and waste disposal sites under Part V and certificates of approval respecting private sewage disposal systems under Part VII of The Environmental Protection Act, 1971, have been received for registration under The Registry Act and notices thereof have also been received under The Land Titles Act.

It is our opinion that such documents are instruments within the meaning of section 1(c) of The Registry Act and are registrable under that Act provided they comply with the usual requirements for registration.

Notices of such certificates are similarly acceptable under The Land Titles Act.

It should be noted that certificates under Parts V and VII of The Environmental Protection Act, 1971, must be executed by the appropriate director appointed thereunder. It is not necessary that the certificate be under seal or witnessed. The signature of the director is sufficient.

Any conditions or restrictions affecting the use of land and reasons attached to a certificate form part of the certificate and must not be removed.

In case the legal description is missing or unacceptable, a declaration under section 23 of The Registry Act must be attached prior to registration under that Act. Under The Land Titles Act, an application to enter notice of the certificate must be completed on behalf of the applicant indicating the proper parcel number.

It should also be noted that certificates under The Environmental Protection Act, 1971, must be completed on legal size paper of good quality on one side only and include proper backs. Extraneous material, such as sketches or plans, not forming part of a certificate, should not be attached thereto.

Robert S. K. Gibson

Robert S. K. Gibson
Deputy Director of Titles

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